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Chair: Mr. Tafrov ..... (Bulgaria)

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The meeting was called to order at 10.10 a.m.

Agenda item 69: Promotion and protection of human rights (*continued*)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/68/L.57)

Draft resolution A/C.3/68/L.57: Situation of human rights in the Islamic Republic of Iran

1. **Ms. Ortigosa** (Uruguay) said that although the Iranian Government had made some progress in the protection of human rights, more efforts were needed to guarantee the full enjoyment of human rights by Iranian citizens. The note by the Secretary-General on the situation of human rights in the Islamic Republic of Iran (A/68/503) drew attention to situations of grave violations of human rights and fundamental freedoms in that country, including through laws that violated the right to freedom of expression and access to information recognized under international law; that note highlighted that there had been an increase in the rate of executions and noted forms of cruel and inhuman punishment, discrimination in employment and in education for religious reasons, and discrimination against ethnic minorities. Her Government rejected such practices, which were in violation of human rights and fundamental freedoms. Nevertheless, progress had been noted in certain categories of rights, which should foster improved cooperation and dialogue between the Iranian Government and the universal system for the promotion and protection of human rights. She urged the Iranian Government to cooperate with that system and to facilitate the visit to that country of the United Nations High Commissioner for Human Rights as soon as possible, without restrictions on the High Commissioner's autonomy. For those reasons, her delegation had abstained from the vote on the draft resolution.

2. **Ms. Murillo** (Costa Rica) said that her country's concern for human rights situations in specific countries had prompted her delegation to support all the country-specific draft resolutions currently before the Committee. Accordingly, it maintained its position of principle that all matters of interest to Member States must be considered on the basis of their substantive merits, including actions taken by countries to improve their human rights situations. Nevertheless, the Human Rights Council, and not the Third Committee, was the main body with the competence to examine human rights issues, and the Council should address serious country-specific situations through the universal periodic review mechanism. However, Members of the Committee should continue to express their views with regard to particularly critical situations affecting basic rights wherever they might occur, on a country-specific basis when necessary. She called upon all States to commit to constructive dialogue and cooperation for the effective promotion and protection of human rights, and was hopeful that the Iranian Government would take the necessary steps to improve the situation to that end.

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/68/L.64)

Draft resolution A/C.3/68/L.64/Rev.1: Protecting Women Human Rights Defenders

3. **Mr. Gustafik** (Secretary of the Committee) announced that Jordan was not a sponsor of the draft resolution.

4. **Mr. Pedersen** (Norway), speaking on behalf of the sponsors of the draft resolution, said that many delegations had participated in the consultations, reflecting the fact that the protection of women human rights defenders was a concern for all. Women human rights defenders around the world faced grave violations to their fundamental rights: intimidation, harassment, threats and violence, including gender-based and sexual violence.

5. Governments did not always have to agree with human rights defenders, but must allow them to speak in an open debate. The fundamental freedoms of expression and association were essential, including for the promotion and protection of economic, social and cultural rights and the right to development. The creation of a safe and enabling environment for human rights defenders should thus be a fundamental objective of any society. Governments must ensure that they were protected in the conduct of their legitimate work, on the basis of non-discrimination and the safeguarding of fundamental freedoms and human rights. Women human rights defenders' special protection needs must be clearly recognized and acted upon. The draft resolution set out the challenges and

particular vulnerabilities that women human rights defenders faced, and called upon States to take effective steps to address that situation. It did not create new rights or privileges for women human rights defenders, but recognized their urgent need of protection. In the revised version of the draft, the title of the draft resolution had been reformulated to reflect the fact that the issue was being addressed in the framework of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms of 1998. A few other revisions had been made to address the concerns of Member States.

6. **Mr. Gustafik** (Secretary of the Committee) announced that Colombia, Costa Rica, Monaco and Uruguay had joined the sponsors.

Agenda item 27: Social development (*continued*)

(b) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (*continued*) (A/C.3/68/L.11/Rev.2)

Draft resolution A/C.3/68/L.11/Rev.2: Promoting social integration through social inclusion

7. **The Chair** said that the draft resolution had no programme budget implications.

8. **Ms. Peña** (Peru) said that Benin, Burkina Faso, Cuba, Dominican Republic, Egypt, Haiti, Honduras, Jamaica, Madagascar, Mali, Mexico, Montenegro, New Zealand, Nicaragua, Thailand, the former Yugoslav Republic of Macedonia, and Trinidad and Tobago had joined the sponsors. Social inclusion was a crucial component of her Government's social policy, which sought the inclusive, non-discriminatory participation of all its citizens without exception, in order to build a more fair, just and equitable society.

9. **Mr. Gustafik** (Secretary of the Committee) announced that Antigua and Barbuda, Bosnia and Herzegovina, Croatia, Cyprus and San Marino had joined the sponsors.

10. *Draft resolution A/C.3/68/L.11/Rev.2 was adopted.*

11. **Ms. Robl** (United States of America) said that her delegation applauded the draft resolution's emphasis on leaving no one behind in the benefits of development. Nevertheless, her delegation had reservations regarding the content of the sixteenth preambular paragraph, as official debt assistance, debt relief, market access and financial and technical support and capacity-building were not germane to the subject of the draft resolution. Social inclusion was driven primarily by policies and practices at the national and local levels.

Agenda item 68: Right of peoples to self-determination (*continued*)

Draft resolution A/C.3/68/L.68: The right of the Palestinian people to self-determination

12. **The Chair** said that the draft resolution had no programme budget implications.

13. **Mr. Gustafik** (Secretary of the Committee) read out an oral revision made by the main sponsor of the draft resolution: In the eighth preambular paragraph, the phrase "and stressing the need to accelerate the negotiations, within the agreed time frame of nine months, for the achievement of a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides" had been replaced by "aiming for the achievement of a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides within the agreed time frame of nine months".

14. **Mr. Kandeel** (Egypt) said that Belarus, Belize, Costa Rica, Ethiopia, Gabon, Lesotho, Seychelles, Somalia, South Africa, Switzerland, Tajikistan and Zambia had joined the sponsors. The Palestinian people had been suffering the consequences of the longest occupation in modern history and were being denied their inalienable rights, including the right to self-determination. He hoped that adoption of the draft resolution by consensus would help to alleviate the hardships faced by the Palestinian people and contribute to the ultimate realization of the long overdue right to self-determination, with the establishment of East Jerusalem as the capital of the State of Palestine.

15. **Mr. Gustafik** (Secretary of the Committee) announced that Grenada, Jamaica and Kazakhstan and Senegal had also joined the sponsors.

16. **Ms. Furman** (Israel) said that there was no dispute over the right of the Palestinian people to self-determination. Her Government was currently engaged

in negotiations with the Palestinian Authority to reach a peace agreement, which reflected her Government's commitment to two States for two peoples. Israel was prepared to make painful compromises for the sake of peace, but was still waiting for the Palestinian leaders to echo that sentiment and recognize that Israel was a nation-state of the Jewish people. A Palestinian State for the Palestinian people could only be achieved through meaningful negotiations. If the sponsors of the draft resolution wished to genuinely contribute to Palestinian self-determination and to peace in the Middle East, they should support the bilateral negotiations. The previous year's resolution had done nothing to bring the people of Ramallah, Nablus or Gaza City closer to self-determination, nor would the current draft resolution change the situation on the ground. The various issues mentioned in the draft resolution could only be resolved through direct negotiations; efforts outside of that framework would not advance the cause of peace. Her delegation thus called for a vote on the draft resolution and would vote against it.

17. *At the request of Israel, a recorded vote was taken on draft resolution A/C.3/68/L.68.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America.

Abstaining:

Cameroon, Papua New Guinea, Tonga.

18. *Draft resolution A/C.3/68/L.68 was adopted by 165 votes to 6, with 3 abstentions.*

19. **Mr. Díaz Bartolomé** (Argentina) said that his delegation reaffirmed its recognition of the inalienable rights of the Palestinian people to self-determination and to establish an independent State. Argentina had thus voted in favour of the draft resolution, just as, on 6 December 2010, it had recognized Palestine as a free and independent State, within the borders established in 1967. Argentina's decision to recognize the Palestinian State was a reflection of its desire to promote negotiation for an end to the conflict and its deep desire for peaceful coexistence among all peoples.

20. The exercise of the right to self-determination required an active subject — a people — subject to alien subjugation, domination and exploitation, as set out in General Assembly resolution 1514 (XV), paragraph 1. Without such a subject, there was no right to self-determination. Argentina welcomed the adoption of the draft resolution and hoped it could contribute to the prompt realization of the right to self-

determination of the Palestinian people, including their right to an independent Palestinian State.

21. **Mr. Mansour** (Observer for the State of Palestine) said that the large number of sponsors of the draft resolution was a testament to the continued support of the international community for the legitimate right of the Palestinian people to fully realize the right to self-determination — a right that was withheld under Israeli occupation. That overwhelming support sent a clear message to Israel that its violations and contempt of international law would no longer be tolerated and that it was expected to comply fully with all of its legal obligations. Clearly, the right of the Palestinian people to self-determination remained a key issue in the Israeli-Palestinian conflict. The resolution was not contrary to peace efforts; rather, it was complementary and vital to the promotion of peace. The right to self-determination had never been one of the permanent status issues, nor would it ever be. It was non-negotiable — a given, inalienable right for all and the sole domain of the Palestinian people. By voting against the resolution, Israel was sending a clear message to the Palestinians that it did not support peace or the right to self-determination, and that it fiercely rejected a real peace settlement based on the existence of two States. For a just peace to be achieved, the basic right to self-determination must be mutually recognized by both parties. Israel denied the inalienable rights of the Palestinian people, denied Palestine its rightful place among the community of nations and rejected its peaceful efforts to advance the rights of its people and a two-State solution. The time had come to hold Israel accountable to the Charter of the United Nations and the rule of international law to which it was held as a Member State — a privilege too long denied to Palestine and grossly abused by Israel. The international community must uphold right above might, and advance a just solution towards fulfilling the inalienable right of the Palestinian people, including the right to self-determination and to establish an independent State of Palestine, with East Jerusalem as its capital, thus allowing for peaceful coexistence for Palestinians and Israelis.

22. **Mr. Gustafik** (Secretary of the Committee) said that the delegation of the Dominican Republic wished to clarify that it was not a sponsor of the draft resolution.

Agenda item 69: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/68/L.36)

Draft resolution A/C.3/68/L.36: Human rights and cultural diversity

23. **The Chair** said that the draft resolution had no programme budget implications.

24. **Ms. Astiasarán Arias** (Cuba), introducing the draft resolution on behalf of the Movement of Non-Aligned Countries, said that China had joined the sponsors. The aim of the draft resolution was to recognize that all cultures and civilizations contributed to enriching humanity; it was thus important to ensure respect for and understanding of cultural and religious diversity throughout the world. It also recognized the importance of the promotion and protection of human rights and respect for cultural diversity to advance peace, human welfare, freedom and progress everywhere and to encourage tolerance, respect, dialogue and cooperation among different cultures, civilizations and peoples.

25. **Mr. Gustafik** (Secretary of the Committee) announced that Brazil had also joined the sponsors.

26. **The Chair** said that a recorded vote had been requested on the draft resolution.

27. **Ms. Astiasarán Arias** (Cuba), speaking on behalf of the Movement of Non-Aligned Countries, asked which delegation had requested the recorded vote.

28. **The Chair** said that the vote had been requested by the delegation of Lithuania on behalf of the European Union.

29. **Ms. Juodkaitė Putrimienė** (Lithuania), speaking on behalf of the European Union in explanation of vote before the voting, said that the European Union attached great importance to the promotion of cultural diversity, which the United Nations Educational, Scientific and Cultural Organization (UNESCO) defined as the manifold ways in which the cultures of groups and societies found expression. According to relevant UNESCO instruments and declarations, cultural diversity could be promoted and protected only if human rights and fundamental freedoms, as well as the ability of individuals to choose cultural

expressions, were guaranteed. Media pluralism and freedom of assembly and of association were essential for the expression of cultural diversity.

30. Cultural diversity implied a commitment to human rights and fundamental freedoms. While different historical, cultural, and religious contexts should be borne in mind, it was the duty of States, regardless of their political, economic or cultural systems, to promote and protect the human rights and fundamental freedoms of all. No room should be left for any form of cultural relativism. To that end, the European Union had proposed using the UNESCO Universal Declaration on Cultural Diversity as a source of agreed language, particularly drawing on the wording set out in article 4 of the Declaration, which stated that no one could invoke cultural diversity to infringe upon human rights guaranteed by international law, or to limit their scope. Regrettably, the new additions to the current draft resolution included references to discriminatory treatment of cultures and religions, shifting the focus away from the individual as the rights holder, which was the fundamental principle for human rights. The European Unions was likewise concerned by the references made in the draft resolution to universally accepted human rights, which could be misinterpreted to imply the existence of human rights that were not universal. Her delegation therefore requested that a recorded vote should be taken on the draft resolution. The Member States of the European Union would vote against the draft resolution and requested that all delegations do likewise.

31. **Ms. Robl** (United States of America) said that cultural diversity had played a critical role in the history of her own country. Her Government strongly supported the promotion of cultural pluralism, tolerance, cooperation and dialogue among individuals from different cultures and civilizations. All Governments were responsible for protecting the rights and freedoms set out in international human rights law. The Charter of the United Nations committed the international community to respect human rights law domestically, but also to promote and encourage respect for human rights and fundamental freedoms abroad for all, without distinction of race, sex, language or religion.

32. Her delegation could not support the draft resolution. It believed that cultural diversity and international human rights could be mutually reinforcing, but was concerned that the concept of cultural diversity as put forward in the draft resolution could be misused to legitimize human rights abuses. Human rights were universal and respect for them enhanced respect for diversity. Efforts to promote cultural diversity should not infringe on the enjoyment of human rights nor justify limitations on their scope. By raising the concept of cultural diversity to the level of an essential objective, while failing to reflect concerns about its possible misuse, the draft resolution misrepresented the relationship between cultural diversity and international human rights law. Cultural diversity and its relationship with human rights law was characterized in a more accurate and balanced way in Human Rights Council resolution 23/10, on which her delegation had joined the consensus in June 2013. Furthermore, UNESCO should not take up initiatives aimed at promoting intercultural dialogue on human rights. The draft resolution contained inaccurate language on the right to development — her delegation maintained that significant work was still needed to develop consensus on the relationship between the right to development and the human rights that individuals held and may demand from their own Government. The draft resolution had not addressed that fundamental concern. For those and other reasons, her delegation would vote against the draft resolution.

33. *A recorded vote was taken on draft resolution A/C.3/68/L.36.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco,

Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

None.

34. *Draft resolution A/C.3/68/L.36 was adopted by 127 votes to 53, with no abstentions.* [1]

35. **Ms. Murillo** (Costa Rica) said that her delegation had voted in favour of the draft resolution because her country attached particular importance to multiculturalism and the contribution that cultures had made to the development of human rights. However, the language in the draft resolution, particularly its paragraph 14, could not be understood to imply an acceptance of cultural relativism in relation to human rights. Human rights should be defended as universal, interdependent and interrelated, as set out in the tenth preambular paragraph.

36. **Mr. Edu Mbasogo** (Equatorial Guinea) said that his delegation had voted in favour of the draft resolution because cultural diversity was an important part of human rights. Part of the world's history was being falsified, and the draft resolution was therefore very important.

Draft resolution A/C.3/68/L.38: Promotion of equitable geographical distribution in the membership of the human rights treaty bodies

37. **The Chair** said that the draft resolution contained no programme budget implications.

38. **Ms. Astiasarán Arias** (Cuba), introducing the draft resolution on behalf of the Movement of Non-Aligned Countries, said that China and the Russian Federation had joined the sponsors of the draft resolution. The draft resolution aimed to achieve more balanced geographical and gender representation in legal, social and political systems, notably in certain human rights treaty bodies. Members of such bodies must be elected based on personal merit; they must be persons of high moral standing known for their impartial judgement and competency in human rights-related issues.

39. **Mr. Gustafik** (Secretary of the Committee) said that Brazil had joined the sponsors.

40. **The Chair** said that a recorded vote had been requested on the draft resolution.

41. **Ms. Astiasarán Arias** (Cuba) asked which delegation had requested the recorded vote.

42. **The Chair** said that the vote had been requested by the delegation of the United States of America.

43. *A recorded vote was taken on draft resolution A/C.3/68/L.38.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic

[1] The delegation of Viet Nam subsequently informed the Committee that it had intended to vote in favour of the draft resolution.

of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Chile.

44. *Draft resolution A/C.3/68/L.38 was adopted by 126 votes to 54, with 1 abstention.*[2]

[2] The delegation of Equatorial Guinea subsequently informed the Committee that it had intended to vote in favour of the draft resolution.

45. **Ms. Juodkaitė Putrimienė** (Lithuania), speaking on behalf of the European Union, said that while the European Union recognized the importance of the principle of equitable geographical distribution, the composition of human rights treaty bodies was already prescribed in the provisions of the respective human rights treaties, some of which already recommended that consideration should be given to equitable geographical distribution. The General Assembly should not attempt to modify those provisions or ask States Parties to do so. The European Union opposed the idea of using a quota system to elect members of treaty bodies; experts were elected based on personal merit and capacity, not as representatives of States or regional groups. For those reasons, the European Union had voted against the draft resolution.

Draft resolution A/C.3/68/L.39: Human rights and unilateral coercive measures

46. **The Chair** said that the draft resolution contained no programme budget implications.

47. **Ms. Astiasarán Arias** (Cuba), introducing the draft resolution on behalf of the Movement of Non-Aligned Countries, said that China had joined the sponsors. The members of the Movement reiterated their opposition to unilateral coercive measures, in particular against developing countries. Under no circumstances should a people be deprived of its means of subsistence and development. Unilateral coercive measures obstructed economic and social development, impeded the full enjoyment of human rights and were contrary to international law and the Charter of the United Nations. The members of the Non-Aligned Movement expressed regret that a certain delegation was again preventing consensus on the draft resolution and urged all delegations to support the draft resolution.

48. **Mr. Oliveira** (Brazil) said that his delegation had joined the sponsors of the draft resolution.

49. **The Chair** said that a recorded vote had been requested on draft resolution A/C.3/68/L.39.

50. **Ms. Astiasarán Arias** (Cuba) asked which delegation had requested the recorded vote.

51. **The Chair** said that the vote had been requested by the delegation of United States of America.

52. At the request of the delegation of the United States of America, a recorded vote was taken on draft resolution A/C.3/68/L.39.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Solomon Islands, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

None.

53. *Draft resolution A/C.3/68/L.39 was adopted by 126 votes to 54, with no abstentions.*[3]

54. **Ms. Robl** (United States of America) said that the draft resolution had no basis in international law, challenged States' sovereign right to freely conduct their economic relations and protect their interests, including in the area of national security, and attempted to undermine the international community's ability to respond to acts which ran counter to international norms. Her Government was not alone in viewing unilateral and multilateral sanctions as a means of achieving its legitimate objectives.

Agenda item 67: Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)

(a) Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*) (A/C.3/68/L.65/Rev.1)

Draft resolution A/C.3/68/L.65/Rev.1: Combating glorification of Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance

55. **The Chair** said that the draft resolution contained no programme budget implications.

56. **Mr. Viktorov** (Russian Federation) said that Ethiopia and the Islamic Republic of Iran had joined the sponsors. Paragraph 36 should be corrected to read: "Encourages States to consider including in their reports ...". In the light of the approaching 70th anniversary of the end of World War II, during which millions of innocent people had been killed as a result of ideologies based on theories of racial and ethnic supremacy, it must be recognized that the

[3] The delegation of Sierra Leone subsequently informed the Committee that it had intended to vote in favour of the draft resolution.

establishment of the United Nations and the adoption of international human rights instruments had been a direct response to the heinous crimes of Nazism. In spite of that, certain countries were opening memorials in tribute to Nazis, declaring days celebrating liberation from Nazism as days of mourning, persecuting war veterans who had fought against Nazism, treating pro-Nazi collaborators and war veterans as heroes; such actions were not a matter of political correctness, but a brazen attempt to falsify history and disproved claims that healthy, democratic societies would automatically reject racist ideas. The glorification of the crimes of Nazism was inadmissible. The sponsors of the draft resolution doubted the intentions of the delegations that had requested a vote, given that every effort had been made to create a balanced draft resolution, taking account of the views of Member States. Member States should fulfil their duty to the founders of the United Nations and to future generations by supporting the draft resolution, which would genuinely contribute to the elimination of racism, racial discrimination, xenophobia and related intolerance.

57. **Mr. Lazarev** (Belarus) said that the United Nations and its Member States should take active steps to combat the spread of extremist movements which presented a threat to democratic values, and supported the call of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance for a balanced combination of legislative and educational measures to counter extremist ideologies, with the involvement of civil society and the media. The implementation of the draft resolution would help to expand international cooperation aimed at eliminating contemporary forms of racism, including cooperation in the context of the universal periodic review. The international community must not forget the lessons of the past or allow the crimes of history to be distorted or denied; condoning the promotion of Nazi ideologies and ethnic superiority or racial supremacy under the guise of freedom of expression would only create new victims. Surely that supposed freedom should not come at the price of a human life. His delegation would therefore vote in favour of the draft resolution, as it had in previous years.

58. **Mr. Gustafik** (Secretary of the Committee) said that Burkina Faso, Burundi, Guinea and Mauritania had joined the sponsors.

59. **The Chair** said that a recorded vote had been requested on the draft resolution.

60. **Mr. Viktorov** (Russian Federation) asked which delegation had requested the recorded vote.

61. **The Chair** said that the vote had been requested by the delegation of United States of America.

62. *At the request of the delegation of the United States of America, a recorded vote was taken on draft resolution A/C.3/68/L.65/Rev.1.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Solomon Islands, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Palau, United States of America.

Abstaining:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland.

63. *Draft resolution A/C.3/68/L.65/Rev.1 was adopted by 126 votes to 3, with 50 abstentions.*

64. **Ms. Robl** (United States of America) said that the draft resolution failed to distinguish between offensive expression, which should be protected, and actions, such as discrimination and violence motivated by bias, which should always be prohibited. Individual freedom of expression and association should be robustly protected, even when the ideas expressed were offensive. States were urged to refrain from invoking article 4 of the Convention on the Elimination of All Forms of Racial Discrimination and article 20 of the International Covenant on Civil and Political Rights to limit freedom of expression or as an excuse for failing to take effective measures. In a free society, hateful ideas would fail. The best antidote was robust legal protection against discrimination and hate crime, proactive government outreach to minority religious groups and vigorous defence of both freedom of religion and freedom of expression, not criminalization of hate speech.

65. **Ms. Juodkaitė Putrimienė** (Lithuania), speaking on behalf of the European Union, said that all expressions of racism must be tackled using a comprehensive framework of measures at the national, regional and international levels. Racism and xenophobia were often rooted in prejudice and ignorance and must be addressed through dialogue, education and awareness-raising. Each State was responsible for combating racism and xenophobia in line with international human rights standards and for bringing to justice anyone found to have incited racial or ethnic hatred or committed racially-motivated crimes.

66. Her delegation welcomed recent revisions to the draft resolution, notably the reformulation of the title to include other practices that contributed to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance in addition to combating the glorification of Nazism; the recognition in paragraph 28 of the positive role of the media; and the amendments made to paragraphs 2, 14 and 17. However, the language used in the draft resolution to address freedom of expression and freedom of peaceful assembly was too restrictive. All contemporary forms of racism, racial discrimination, xenophobia and related intolerance should be addressed in a comprehensive, balanced and non-selective manner, maintaining a clear focus on human rights; education, for example, must cover a range of racist ideologies throughout history. References made in the draft resolution to memorials and national liberation movements were incorrect in human rights terms. In addition, the request made in paragraph 37 for the Special Rapporteur to report on the implementation of selected paragraphs of the draft resolution threatened his independence and obstructed a comprehensive reporting exercise. She also expressed concern over the addition of paragraph 36; States should be allowed to choose what to include in their reports for the universal periodic review and to treaty bodies.

67. **Mr. Fernandez Valoni** (Argentina) said that crimes of religious hatred should be stigmatized and that nothing in the resolution should be understood as restricting freedom of expression. His delegation disagreed with certain references in the text which could expand State powers to restrict freedom of expression, in particular the reference in paragraph 8.

68. **Ms. Loew** (Switzerland) said that the draft resolution targeted only certain contemporary forms of racism. However, all forms of racism were unacceptable. The draft resolution should be incorporated into the omnibus draft resolution on racism sponsored by the Group of 77 and China, which also addressed contemporary forms of racism.

69. **Ms. Larsen** (Norway) said that intolerance must be confronted through dialogue and open debate rather than by restricting the rights to freedom of expression and assembly. The narrow scope and insufficient human rights perspective of the draft resolution remained worrisome. The approaches in the draft resolution to freedom of speech and expression and to the independence of the Special Rapporteur were

regrettable. The biased focus on particular issues not relevant to the human rights agenda did not serve to advance the common struggle against racism, racial discrimination, xenophobia and related intolerance. A more comprehensive, objective and legally appropriate approach should have been adopted.

Agenda item 69: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)

Draft resolution A/C.3/68/L.50/Rev.1: National institutions for the promotion and protection of human rights

70. **The Chair** said that the draft resolution contained no programme budget implications.

71. **Ms. Hullman** (Germany) said that Austria, Canada, Denmark, Iceland, Lebanon, Republic of Moldova, Thailand, Tunisia and Switzerland had joined the sponsors of the draft resolution. Twenty years after their adoption, the Paris Principles remained an essential standard for the independence of human rights institutions. The draft resolution emphasized that for a human rights institution to be independent, its staff must not be subjected to any form of reprisal or intimidation as a result of the activities undertaken in accordance with its mandate. It also requested the Secretary General in his subsequent report to evaluate the participation of human rights institutions compliant with the Paris Principles in the work of the General Assembly and explore ways to strengthen that participation.

72. Mr. Gustafik (Secretary of the Committee) said that Costa Rica, Ecuador, Egypt, India, Madagascar, Nigeria, Ukraine, United States of America and Venezuela (Bolivarian Republic of) had joined the sponsors.

73. *Draft resolution A/C.3/68/L.50/Rev.1 was adopted.*

Agenda item 65: Promotion and protection of the rights of children (*continued*)

(a) Promotion and protection of the rights of children (*continued*)

Draft resolution A/C.3/68/L.29/Rev.1: Child, early and forced marriage

74. **Mr. Rishchynski** (Canada), introducing the draft resolution, said that global attention and united efforts were needed to combat child, early and forced marriage. The draft resolution called for further study with a view to promoting the eradication of those practices. His delegation looked forward to the panel discussion on that issue, and invited other delegations to sponsor the resolution.

75. **Ms. Kasese-Bota** (Zambia), introducing the draft resolution, said that Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Central African Republic, Chad, Costa Rica, Cuba, Czech Republic, Denmark, the Dominican Republic, Ecuador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Grenada, Guinea, Hungary, Iceland, Japan, Kazakhstan, Kenya, Kiribati, Latvia, Lebanon, Liechtenstein, Luxembourg, Madagascar, Mali, Malta, Monaco, New Zealand, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Sao Tome and Principe, Seychelles, Sierra Leone, Slovakia, Slovenia, Sweden, Switzerland, Thailand, Togo, Tunisia, Ukraine and Venezuela (Bolivarian Republic of) had joined the sponsors.

76. Child, early and forced marriages hindered children's ability to fully enjoy their rights and decreased their possibility of fulfilling their potential as adults. She hoped that adoption of the resolution would set a precedent for future sessions.

77. **Mr. Gustafik** (Secretary of the Committee) said that Bolivia (Plurinational State of), Eritrea, Mongolia, Nicaragua and Paraguay had joined the sponsors.

78. *Draft resolution A/C.3/68/L.29/Rev.1 was adopted.*

79. **Ms. Loew** (Switzerland) said that Switzerland welcomed the multilateral, human rights-centred approach taken with respect to the issue of child, early and forced marriage, and the decision to incorporate suggestions made by her delegation into the text of the resolution. Switzerland condemned such nefarious

practices against girls and women, which constituted a form of violence as well as violations of their human rights. The terminology used with respect to child, early and forced marriage should be broad enough to include all cases within the scope of national legislations. As the resolution also covered the issue of gender equality, it should have been considered under item 28 of the agenda. In future, the duplication of procedures in Geneva and New York should be avoided.

80. **Ms. Abdulbaqi** (Saudi Arabia) said that Saudi Arabia had adopted a number of measures to guarantee the protection of women and girls against all forms of violence. Her delegation supported the purpose of the resolution. However, religious legislation should be taken into account in accordance with paragraph 5 of the Vienna Declaration and Programme of Action. The position of her delegation was in line with its national obligations and international human rights standards.

81. **Ms. Ortigosa** (Uruguay), speaking on behalf of Costa Rica and Uruguay, said that both delegations afforded great importance to the issue of child, early and forced marriage as well as to the efforts of the Third Committee on that issue. However, it would be more appropriate to consider the issue under another agenda item, in particular as there was already an omnibus resolution on the rights of the child, which had been co-facilitated by Uruguay on behalf of the Group of Latin American and Caribbean Countries in the United Nations, under the present agenda item. Her delegation hoped that the issue of child, early and forced marriage could be considered under the appropriate agenda item at future sessions.

82. **Mr. Escalante Hasbún** (El Salvador) said that his delegation was concerned about the proliferation of issues under agenda item 65. There was already a draft resolution on the girl child under consideration that could have included the issue of child, early and forced marriage. His delegation was not convinced of the need to establish a direct link between child, early and enforced marriage and discussions on the post-2015 development agenda. According to the family code of El Salvador, minors could enter into marriage from the age of 16 years with their parents' permission.

83. **Ms. Al-Dosari** (Qatar) said that her Government had adopted comprehensive policies to promote and protect children's rights and established national mechanisms to protect women and children against all forms of violence. When addressing those issues, the significance of national particularities and various historical, cultural and religious backgrounds must be borne in mind, in accordance with paragraph 5 of the Vienna Declaration and Programme of Action. Her Government's position on the draft resolution was in line with its national legislation and obligations under international human rights law.

84. **Mr. Eshragh Jahromi** (Islamic Republic of Iran) said that his Government had joined the consensus on the resolution and supported the promotion and protection of the rights of the child; however, religious and national legislation should be taken into account in that regard.

85. **Mr. Eleyatt** (Mauritania) said that while his country respected the rights of children and supported the draft resolution, the national legislation of States, particularly of those with legal systems based on sharia law, must also be respected.

Agenda item 69: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental questions (*continued*) (A/C.3/68/L.53, A/C.3/68/L.63/Rev.1 and A/C.3/68/L.34/Rev.1)

Draft resolution A/C.3/68/L.53: Follow-up to the International Year of Human Rights Learning

86. **The Chair** said that the draft resolution contained no programme budget implications.

87. **Ms. Mballa Eyenga** (Cameroon) said that Austria, Belgium, Bulgaria, Costa Rica, Cyprus, Estonia, France, Greece, Hungary, Ireland, Israel, Italy, Latvia, Lithuania, Luxembourg, Mexico, Netherlands, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Sweden, Switzerland, Thailand and Turkey had joined the sponsors.

88. States should continue to elaborate and implement human rights strategies and programmes in cooperation with all stakeholders, including civil society, the private sector, media, universities, parliamentarians, regional organizations, and institutions that specialized in that area. She read out an oral revision to paragraph 8 of the draft resolution, which should read: "invites the United Nations system as well as Member States to give due consideration to

human rights education and learning in the elaboration of the emerging post-2015 United Nations development agenda."

89. **Mr. Gustafik** (Secretary of the Committee) said that Argentina, Armenia, Australia, Belarus, Bolivia (Plurinational Republic of), Bosnia and Herzegovina, Croatia, Ecuador, El Salvador, Equatorial Guinea, Germany, Guatemala, Montenegro, Nicaragua, Philippines, Russian Federation, the former Yugoslav Republic of Macedonia and Ukraine had joined the sponsors.

90. *Draft resolution A/C.3/68/L.53, as orally revised, was adopted.*

Draft resolution A/C.3/68/L.63/Rev.1: Protection of and assistance to internally displaced persons

91. **The Chair** said that the draft resolution contained no programme budget implications.

92. **Ms. Klemetsdal** (Norway), introducing the draft resolution, said that Armenia, Brazil, Costa Rica, Croatia, Czech Republic, Ecuador, France, Honduras, Italy, Lichtenstein, Mexico, Micronesia (Federated States of), Nigeria, Portugal, Republic of Moldova, Thailand, Ukraine and Vanuatu had joined the sponsors. The draft resolution on the protection of and assistance to internally displaced persons reaffirmed the key principles of human rights, humanitarian principles and expressed the commitment of the international community to the growing number of internally displaced persons worldwide. It also recognized the important role played by the Special Rapporteur on the human rights of internally displaced persons.

93. The constructive participation of Member States had led to progress in several areas: the role of development actors in finding durable solutions in situations of protracted displacement; the development of domestic legislation and policies; recognition of the need to protect internally displaced women from sexual violence and involve them in decision-making processes; the need to provide access to education for internally displaced children; and the need to protect schools.

94. **Mr. Gustafik** (Secretary of the Committee) said that Grenada, Malawi and Uganda had joined the sponsors.

95. *Draft resolution A/C.3/68/L.63/Rev.1 was adopted.*

96. **Mr.** Diyar **Khan** (Pakistan) said that his delegation had supported the consensus on the resolution, but would have preferred the text to include references to a number of new developments: Human Rights Council resolution 14/6 on the mandate of the Special Rapporteur on the human rights of internally displaced persons and General Assembly resolution 46/182, which emphasised that the affected States had the primary role in the coordination of humanitarian assistance within its territory.

97. Pakistan disassociated itself from the language contained in paragraph 24 of the resolution. Pakistan hosted both internally displaced persons and refugees which, legally and conceptually, belonged to separate categories. His Government also disagreed with the proposal to involve non-governmental organizations in the collection of data on internally displaced persons. Such a role had not been recognized or endorsed by all Member States.

98. **Mr. Elbahi** (Sudan) said that the Sudan had joined the consensus on the draft resolution in conformity with his Government's position of supporting all efforts to assist and protect internally displaced persons. However, the Sudan had reservations concerning the reference to the Rome Statute of the International Criminal Court.

Draft resolution A/C.3/68/L.34/Rev.1: The human right to safe drinking water and sanitation

99. **The Chair** said that the draft resolution contained no programme budget implications.

100. **Mr. Wittig** (Germany) said that Denmark, Fiji, Grenada, Iceland, Lebanon, Libya, Mexico, Republic of Moldova, Sao Tome and Principe, Singapore, South Africa, Thailand, United Republic of Tanzania, United States of America, Uruguay and Zambia had joined the sponsors. Costa Rica had withdrawn its sponsorship.

101. By adopting the resolution, Member States would be demonstrating their commitment to equal access to water and sanitation for vulnerable and marginalized groups, consultation with concerned communities, regular monitoring and examination of the status of the realization of the right to safe drinking water and sanitation, and the provision of effective accountability

mechanisms for all water and sanitation service providers.

102. Member States had agreed that the human right to safe drinking water and sanitation should be given adequate consideration in the design of the post-2015 development agenda. The resolution called on the international community to consider the principles of equality and non-discrimination and a focus on the rights of the most disadvantaged and marginalized while implementing that right.

103. **Mr. González de Linares Palou** (Spain) presented a number of oral revisions to the draft resolution. He said that paragraph 2 would become the fifteenth preambular paragraph; the text of what had previously been the fifteenth preambular paragraph would become the sixteenth, and the original sixteenth preambular paragraph would be deleted. In paragraph 3, the words "considering a human rights-based approach" should be deleted and replaced with the words "taking into account an approach that supports the promotion and protection of human rights." Although great importance was attached to the language of the original sixteenth preambular paragraph, its definition of the right to safe drinking water and sanitation was not included in the draft resolution in order to increase the probability that the draft resolution would be adopted by consensus.

104. **Mr. Gustafik** (Secretary of the Committee) said that Angola, Equatorial Guinea, Ghana, Lesotho, Madagascar, Malawi, Mongolia, Namibia, Nigeria and Paraguay had joined the sponsors.

105. **Mr. Pirimkulov** (Uzbekistan), speaking in explanation of position before the decision, said that his delegation supported the draft resolution, although it had decided not to join the sponsors. The preambular section of the draft resolution referred to General Assembly resolution 65/154 on the International Year of Water Cooperation. Since his Government had not participated in the process of approval of that resolution, it disassociated itself from any consensus on the present draft resolution.

106. *Draft resolution A/C.3/68/L.34/Rev.1, as orally revised, was adopted.*

107. **Ms. Murillo** (Costa Rica) said that the regrettable decision to delete the sixteenth preambular paragraph had led Costa Rica to withdraw its sponsorship. However, it would continue to work with other delegations in future to promote the right to safe drinking water and sanitation.

108. **Mr. Ruiz** (Colombia) said that Colombia had joined the consensus on the draft resolution; however, he wished to clarify the scope of his Government's legislation in connection with paragraph 7 (e) of the resolution, which called on States to consult with communities on adequate solutions to ensure sustainable access to safe drinking water and sanitation. Colombia, a multiethnic and multicultural nation, was of the view that free, prior and informed consultation was an intercultural process of dialogue and cooperative efforts around two perceptions of development. All racial and ethnic communities had the fundamental right to be involved in the decision-making process in connection with any project, construction or activity that might take place within their territory and affect their ethnic and cultural integrity. Only in such cases was consultation protected by the law.

109. **Ms. Loew** (Switzerland) said that Switzerland deeply regretted the deletion of the sixteenth preambular paragraph, which underpinned the human rights-based approach of the resolution. Its deletion was contrary to both the opinion of the majority of Member States, as well as the recent consensus decision of the Human Rights Council, and weakened the text of the resolution considerably. State capacity to implement the fundamental right to water and sanitation would be negatively affected without that crucial paragraph to serve as a guide.

110. **Mr. Escalante Hasbún** (El Salvador) said that El Salvador was disappointed by the last-minute changes to the resolution, in particular the deletion of the sixteenth preambular paragraph. His delegation hoped that a stronger text, which included that paragraph, would be introduced at the sixty-ninth session of the General Assembly.

111. **Ms. Gandini** (Argentina) said that States were responsible for ensuring the right to water and sanitation, which was fundamental to the guarantee of the right to life and a minimum of well-being. For that reason, Argentina had joined the consensus on the resolution; however, her Government maintained that States should guarantee the right to water and sanitation for all individuals within their jurisdiction. In that connection, she affirmed her delegation's commitment to General Assembly resolution

A/Res/1803 (XVII) on permanent sovereignty over natural resources.

112. **Ms. Robl** (United States of America) said that the United States of America would work with other Member States on the global challenges to implementing the right to water and sanitation. The international community should refer to the statements made by her Government in Geneva on 27 September 2013 and in New York on 27 July 2011 to understand its position on safe drinking water and sanitation.

113. **Mr.** Amit **Kumar** (India) said that India was pleased to join consensus on the resolution, but wished to emphasise that the issue of safe drinking water and sanitation should not solely be viewed from a human rights perspective. The 2012 United Nations World Water Development Report referred to several important aspects, including the uneven distribution of fresh water supplies, and considerations related to water resources management and technology.

114. The resolution did not comprehensively address all issues related to the progressive realisation of safe drinking water and sanitation facilities for all, but his delegation hoped that those issues would be revisited in the future. His delegation would also have appreciated a stronger, more direct call for strengthened international cooperation in that regard.

115. His delegation had reservations concerning the human rights-based approach to implementing development programmes related to the right to safe drinking water and sanitation referred to in paragraph 11 of the resolution. Member States had not reached any agreement concerning the implications of such an approach.

116. **Mr. Nisan** (Canada) said that Canada was pleased to join consensus on the resolution and affirmed his Government's recognition of the human right to safe drinking water and sanitation as essential to the right to an adequate standard of living, and therefore implicit under article 11 of the International Covenant on Economic, Social and Cultural Rights.

117. Canada interpreted the right to safe drinking water and sanitation as the right to a sufficient and safe quantity of reasonably affordable and accessible water for personal domestic use, personal and household sanitation, and to basic sanitation that was both safe and hygienic. Water and sanitation services should be physically and economically accessible on an equal and non-discriminatory basis. The right to safe drinking water and sanitation did not encompass transboundary water issues such as bulk water trade, or international development assistance.

118. Canada would continue its efforts toward the progressive realisation domestically of the right to safe drinking water and basic sanitation through national and subnational action, with particular emphasis on vulnerable individuals.

119. **Mr. Ruidiaz** (Chile) said that his delegation had joined the consensus on the resolution because Chile recognized the importance of water to the dignity of individuals. The purpose of the resolution was to provide impetus to compliance with the relevant Millennium Development Goals. His Government was also of the view that the resolution did not direct how States should administer water and sanitation. Such was a matter to be regulated by the domestic legislation of each State.

The meeting rose at 12.55 p.m.